(a) whether Government are aware about the merger of Hindustan Lever Ltd. and TOMCO, a TATA group company;

(b) if so, what are the details thereof;

(c) whether Government are also aware of the wide-spread allegations that the merger is not in order, is in violation of the various provisions of the companies Act and other relevant laws and regulations viz. transfer of shares, capital, equity, payment of dividends, interest of workers and investors thereby attracting various provisions of the M.R.T.P. Act;

(d) whether it is a fact that outside pressure was exerted on Hindustan Lever Ltd. to take over the sick/loss-making TOMCO;

(e) whether Government would withhold its clearance to the merger and order an enquiry by an appropriate authority to investigate the matter; and

(f) if so, the details thereof and if not the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDAWJ): (a) to (f). The scheme of amalgamation of the Tata Oil Mills Limited (TOMCO) with Hindustan Lever Limited (HLL) provided for transfer of the undertaking of TOMCO alongwith its assets and liabilities with effect from 1st April, 1993 to HLL; as a consideration for transfer, the shareholders of TOMCO will receive from HLL two equity shares of Rs. 10/- each for every fifteen ordinary shares of Rs. 10/- each held by them in TOMCO; HLL shall have a right to use the trade marks and brand names of TOMCO and its associate companies products except the words "Tata", "TOMCO", "Tata", etc.; allotment of 29,84,347 equity shares of Rs. 10/- each at premium of Rs. 95 per share to Unilever Plc (UK) to maintain its shareholding of 51 per cent. The petition under Sections 391/394 of the Companies Act, 1956 was filed by both the companies before Honble Court at Bombay seeking sanction of the Court to the scheme of amalgamation, which was opposed by some of shareholders and wokmen. A notice of the petition was served on the Central Government under Section 394A of the Companies Act, 1956 and a representation was made requesting the Court to consider *inter-alia* the perferential allotment to Unilever Plc at a low price, for appointment of an eminent chartered accountant for fixation of exchange ratio; shares of dissenting shareholders be taken over by the management or other shareholders as the case may be. The Director-General of Investigation and Registration filed an application under Section 10(a)(iii) and 10(b) of the M.R.T.P. Act, 1969 for an enquiry by M.R.T.P. Commission and the matter is sub-judice before the Commission. This fact was also brought to the notice of the Court.

The scheme of amalgamation has been sanctioned by the Court on 3rd March, 1994, subject to certain conditions.

The approval of the Central Government is not required for merger/amalgamation which only requires the approval of the High Court under Sections 391/394 of the Companies Act, 1956. Sections 23 and 24 of the M.R.T.P. Act, 1969 have been omitted by the M.R.T.P. (Amendment) Act, 1991 with effect from 27-9-1991. The 1991, with effect from 27-9-1991. The M.R.T.P. Commission is, however, empowered to look into the allegations relating to the monopolisic and restrictive trade practices under the provisions of the said Act.

न्यायिक प्रणाली को सरल बनाया जाना

†3186. **श्री राम नरेश यादव :** क्या **प्रधान** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ग्रामीण आबादी की सुविधा के लिए न्यायिक प्रणाली को सरल बनाने हेतु कोई सुधारात्मक कदम उठाने पर विचार कर रही है;

(ख) यदि हां, तो कौन से कारगर कदम उठाए जाने की संभावना है; और

(ग) क्या जन साधारण की उनकी समस्याओं को हल करने में सहायता देने हेतु सरकार उन्हें कम शुल्क पर सरकारी वकीलों की सेवाएं उपलब्ध कराने के बारे में विचार कर रही है; यदि हां, तो कब तक ?

विधि, न्याय और कम्पनी कार्य मंत्रालय में राज्य मंत्री (श्री हंसराज भारद्वाज) : (क) और (ख) हाल ही में मुख्य मंत्रियों और मुख्य न्याय-मूर्तियों की बैठक में ग्रामीण मुकदमों के कम खर्चीले और शीघ्र समाधान को सुनिश्चित करने की दृष्टि से न्यायिक प्रणाली की पुनसंरचना करने की आवश्यकता पर बल दिया गया था। इस संबंध में एक ठोस स्कीम अभी बनाई जानी है।

(ग) ऐसा कोई प्रस्ताव सरकार के विचाराधीन नहीं है ।

Remuneration for officials deputed for election duties

3187. SHRI RAM NARESH YADAV : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that the Presiding Officers and Polling Officers have been paid remuneration for three days for attending duties in the Delhi State Assembly elections held in November, 1993 whereas the Class IV employees who were also in the team and attended their duties have been paid remuneration for one day only; and

(b) whether Election Commission have received any communication in this regard, if so, whether Government are considering to pay the remuneration for the remaining two days to the Class IV employees also; and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) According to the instructions issued by the Election Commission of India, Presiding Officers and Polling Officers are entitled to remuneration for attending training classes, for takjng elections materials etc. Class IV (Group D) employees are not entitled for any remuneration for these duties. However, Presiding Officers, Polling Officers and Class IV Staff are entitled for remuneration for poll duty and counting duty.

(b) The Election Commission of India have received some representations which are under its consideration.

Vacancies in High Courts

3188. SHRI INDER KUMAR GUJRAL : Will the PRIME MINSTER be pleased to state :

(a) whether there are any vacancies pending Governmental decision, in various High Courts of the country;

(b) if so, the details of the same;

(c) the number of pending cases before each High Court; and

(d) the action Government propose to take to expeditiously liquidate these balances?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b). Statement-I showing the sanctioned strength, number of Judges in position and number of posts lying vacant in various High Courts of the country is enclosed (*See* below).

(c) The requisite information is given in the enclosed statement-II, (*See* below).

(d) For filling up the existing vacancies of Judges in various High Courts of the country, the process of consultation among the concerned Constitutional authorities is on.

A meeting of Chief Ministers and Chief Justices of the High Courts was convened on 4th December, 1993 under the Chairmanship of Prime Minister to consider the problem of arrears cases in courts and to find out ways and means